

Public Service Commission of West Virginia

201 Brooks Street, P.O. Box 812
Charleston, West Virginia 25323



Phone: (304) 340-0300
Fax: (304) 340-0325

January 15, 2019

Kate Mishkin
1001 Virginia St. East
Charleston, WV 25301

RE: Freedom of Information Act Request

Dear Ms. Mishkin:

This letter is in response to your request received January 10, 2019, to provide copies of Notices of Violation for five coal cases you listed in your request. These records are not available on the Public Service Commission web docket.

The Notices of Violation are not confidential information and are attached to this letter per your request. None of these are overweight violations but are all Coal Resource Transportation System reporting violations.

This packet of information is being emailed to you as requested. There is no fee with the information being emailed.

Sincerely,

A handwritten signature in blue ink that reads "Ingrid Ferrell".

Ingrid Ferrell, Director
Executive Secretary Division

IF/s

cc: Jessica Lane, General Counsel
Pam Brown, Archivist

*Public Service Commission
Of West Virginia*

201 Brooks Street, P. O. Box 812
Charleston, WV 25323



Phone: (304) 340-0300
FAX: (304) 340-0325

May 15, 2017

NOTICE OF VIOLATION

Certified Mail

Case number: 17-5077-COAL-R

BLUESTONE INDUSTRIES
KEYSTONE CLEANING PLANT
P.O. BOX 1085
BECKLEY, WV 25802

You are hereby notified that the Public Service Commission of West Virginia is in receipt of information gathered by an inspector of the CRTS Section disclosing that violations have occurred upon the Coal Resource Transportation System in that you have received coal shipments and have failed to report shipments to the Public Service Commission of West Virginia. You are, therefore, in violation of W. Va. Code Chapter 17C Article A in that:

Thirty (30) shipments of coal were not reported by the receiver, in violation of W. Va. Code 17C-17A-6(c). An administrative sanction in the amount of \$100.00 per shipment is assessed, or a total of \$3,000.00.

Violations and sanctions as noted in this NOTICE shall become the FINAL ORDER of the Commission unless you exercise your RIGHT TO A HEARING by notifying the Executive Secretary of the Public Service Commission in writing at the following address:

Public Service Commission of WV
Attn: Executive Secretary
201 Brooks Street
Post Office Box 812
Charleston, West Virginia 25323

The request for hearing must be made in writing and be received by the Executive Secretary no later than twenty (20) days of your receipt of the Notice of Violation. The request for hearing must include a copy of this notice and must identify whether the person requesting the hearing is on behalf of a shipper, owner, lessee, driver or receiver. There will be one hearing for all persons or entities subject to the administrative sanctions.

Initial hearings will be in Charleston, West Virginia and if violation is found, the violator shall pay hearing costs of \$150.00 in addition to other administrative sanctions.

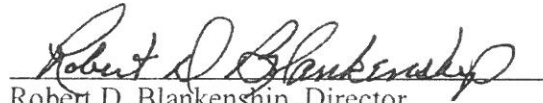
Decisions of the hearing examiner will be made by written order, dated and signed and shall become the Final Order of the Commission unless appeal is made to the Division of Administrative Law Judges by filing appeal with the Executive Secretary at the hereinabove address within ten (10) days of the initial decision.

Payment of any fee, penalty or sanction consistent with this Notice of Violation shall be made by certified check or money order and mailed, with a copy of this Notice of Violation to:

Public Service Commission of WV
Attn: Executive Director
201 Brooks Street
Post Office Box 812
Charleston, West Virginia 25323

If payment is made in person it shall be made by cash, certified check or money order and be presented, together with a copy of this Notice of Violation, at:

Public Service Commission
CRTS Section
1116 Quarrier Street
Charleston, West Virginia 25301


Robert D. Blankenship, Director
Transportation Division
Public Service Commission of West Virginia

Public Service Commission of West Virginia

201 Brooks Street, P.O. Box 812
Charleston, West Virginia 25323



Phone: (304) 340-0300
Fax: (304) 340-0325

May 26, 2017

NOTICE OF VIOLATION

Certified Mail

Case number: 17-5089-COAL-R

BLUESTONE INDUSTRIES
KEYSTONE CLEANING PLANT
P.O. BOX 1085
BECKLEY, WV 25802

You are hereby notified that the Public Service Commission of West Virginia is in receipt of information gathered by an inspector of the CRTS Section disclosing that violations have occurred upon the Coal Resource Transportation System in that you have received coal during the period of May 13, 2016 through May 16, 2016 and have failed to report shipments to the Public Service Commission of West Virginia. You are, therefore, in violation of W. Va. Code Chapter 17C Article A in that:

Twenty-five (25) shipments of coal were not reported by the receiver, in violation of W. Va. Code 17C-17A-6(c). An administrative sanction in the amount of \$100.00 per shipment is assessed, or a total of \$2,500.00.

Violations and sanctions as noted in this NOTICE shall become the FINAL ORDER of the Commission unless you exercise your RIGHT TO A HEARING by notifying the Executive Secretary of the Public Service Commission in writing at the following address:

Public Service Commission of WV
Attn: Executive Secretary
201 Brooks Street
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Charleston, West Virginia 25323

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Initial hearings will be in Charleston, West Virginia and if violation is found, the violator shall pay hearing costs of \$150.00 in addition to other administrative sanctions.

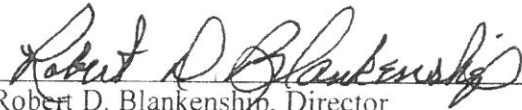
Decisions of the hearing examiner will be made by written order, dated and signed and shall become the Final Order of the Commission unless appeal is made to the Division of Administrative Law Judges by filing appeal with the Executive Secretary at the hereinabove address within ten (10) days of the initial decision.

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Phone: (304) 340-0300
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May 26, 2017

NOTICE OF VIOLATION

Certified Mail

Case number: 17-5090-COAL-R

BLUESTONE INDUSTRIES
KEYSTONE CLEANING PLANT
P.O. BOX 1085
BECKLEY, WV 25802

You are hereby notified that the Public Service Commission of West Virginia is in receipt of information gathered by an inspector of the CRTS Section disclosing that violations have occurred upon the Coal Resource Transportation System in that you have received coal during the period of May 17, 2017 through May 24, 2017 and have failed to report shipments to the Public Service Commission of West Virginia. You are, therefore, in violation of W. Va. Code Chapter 17C Article A in that:

Twenty-five (25) shipments of coal were not reported by the receiver, in violation of W. Va. Code 17C-17A-6(c). An administrative sanction in the amount of \$100.00 per shipment is assessed, or a total of \$2,500.00.

Violations and sanctions as noted in this NOTICE shall become the FINAL ORDER of the Commission unless you exercise your RIGHT TO A HEARING by notifying the Executive Secretary of the Public Service Commission in writing at the following address:

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Initial hearings will be in Charleston, West Virginia and if violation is found, the violator shall pay hearing costs of \$150.00 in addition to other administrative sanctions.

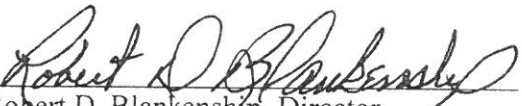
Decisions of the hearing examiner will be made by written order, dated and signed and shall become the Final Order of the Commission unless appeal is made to the Division of Administrative Law Judges by filing appeal with the Executive Secretary at the hereinabove address within ten (10) days of the initial decision.

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Phone: (304) 340-0300
Fax: (304) 340-0325

June 14, 2017

NOTICE OF VIOLATION

Certified Mail

Case number: 17-5106-COAL-R

BLUESTONE INDUSTRIES
KEYSTONE CLEANING PLANT
P.O. BOX 1085
BECKLEY, WV 25802

You are hereby notified that the Public Service Commission of West Virginia is in receipt of an information gathered by an inspector of the CRTS Section disclosing that violations have occurred upon the Coal Resource Transportation System in that you have received coal during the period May 28, 2017 through June 7, 2017 and have failed to report shipments. You are, therefore, in violation of W. Va. Code Chapter 17C Article A in that:

Fourteen (14) shipments of coal were not reported by the receiver, in violation of W. Va. Code 17C-17A-6(c). An administrative sanction in the amount of \$100.00 per shipment is assessed, or a total of \$1,400.00.

Violations and sanctions as noted in this NOTICE shall become the FINAL ORDER of the Commission unless you exercise your RIGHT TO A HEARING by notifying the Executive Secretary of the Public Service Commission in writing at the following address:

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The request for hearing must be made in writing and be received by the Executive Secretary no later than twenty (20) days of your receipt of the Notice of Violation. The request for hearing must include a copy of this notice and must identify whether the person requesting the hearing is on behalf of a shipper, owner, lessee, driver or receiver. There will be one hearing for all persons or entities subject to the administrative sanctions.

Initial hearings will be in Charleston, West Virginia and if violation is found, the violator shall pay hearing costs of \$150.00 in addition to other administrative sanctions.

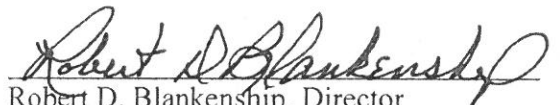
Decisions of the hearing examiner will be made by written order, dated and signed and shall become the Final Order of the Commission unless appeal is made to the Division of Administrative Law Judges by filing appeal with the Executive Secretary at the hereinabove address within ten (10) days of the initial decision.

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Phone: (304) 340-0300
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July 10, 2017

NOTICE OF VIOLATION

Certified Mail

Case number: 17-5130-COAL-R

BLUESTONE INDUSTRIES
KEYSTONE CLEANING PLANT
P.O. BOX 1085
BECKLEY, WV 25802

You are hereby notified that the Public Service Commission of West Virginia is in receipt of information gathered by a CRTS Inspector of the Public Service Commission disclosing that violations have occurred upon the Coal Resource Transportation System in that you have received coal during the period June 22, 2017 through July 7, 2017 and have failed to report shipments. You are, therefore, in violation of W. Va. Code Chapter 17C Article A in that:

Forty-two (42) shipments of coal were not reported by the receiver, as identified specifically in the attachment, in violation of W. Va. Code 17C-17A-6(c). An administrative sanction in the amount of \$100.00 per shipment is assessed, or a total of \$4,200.00.

Violations and sanctions as noted in this NOTICE shall become the FINAL ORDER of the Commission unless you exercise your RIGHT TO A HEARING by notifying the Executive Secretary of the Public Service Commission in writing at the following address:

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Initial hearings will be in Charleston, West Virginia and if violation is found, the violator shall pay hearing costs of \$150.00 in addition to other administrative sanctions.

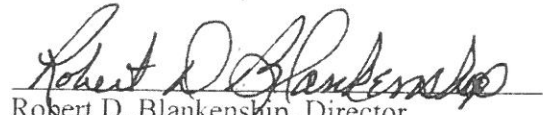
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